

Message

From: Minter, Douglas [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0C1A47CA3AE847E2B7B818DA4734D7FD-MINTER, DOUGLAS]
Sent: 1/13/2020 5:59:11 PM
To: Bahrman, Sarah [Bahrman.Sarah@epa.gov]; Robinson, Valois [Robinson.Valois@epa.gov]
CC: Arnold, Rick [Arnold.Rick@epa.gov]; Lucita Chin (Chin.Lucita@epa.gov) [Chin.Lucita@epa.gov]
Subject: FW: Call with Powertech next Monday, 1/13/20
Attachments: Draft Deadline Letter to OST CRST_PL.docx

Hi Sarah/Valois: looking at this a bit more closely, two other items that impact final permit issuance timing are completion of tribal consultation and the administrative record.

Ex. 5 Deliberative Process (DP)

Let me know if you need further assistance from me to help prepare Darcy for today's call which I will initiate just before 4 pm.

Douglas

From: Robinson, Valois <Robinson.Valois@epa.gov>
Sent: Thursday, January 9, 2020 4:01 PM
To: Bahrman, Sarah <Bahrman.Sarah@epa.gov>; Minter, Douglas <Minter.Douglas@epa.gov>; Arnold, Rick <Arnold.Rick@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>; Suchomel, Bruce <Suchomel.Bruce@epa.gov>
Subject: RE: Call with Powertech next Monday, 1/13/20

Thanks for summing everything up so nicely, Sarah!

I included my replies in red below, including the situation with the Cadmus contract.

I will start working on addressing Paul's comments in the attached letter. If I send this letter to just OST and CRST, I might be able to get it out by the end of next week. Sending a similar letter to all the tribes will take longer to get out. I also need to work with the Standing Rock Tribe to schedule a consultation meeting.

Valois

Valois Robinson
U.S. EPA Region 8
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1595 Wynkoop Street
Denver, CO 80202-1129
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Fax: (303) 312-6741
Email: robinson.valois@epa.gov

From: Bahrman, Sarah <Bahrman.Sarah@epa.gov>

Sent: Thursday, January 9, 2020 2:49 PM

To: Minter, Douglas <Minter.Douglas@epa.gov>; Robinson, Valois <Robinson.Valois@epa.gov>; Arnold, Rick <Arnold.Rick@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>; Suchomel, Bruce <Suchomel.Bruce@epa.gov>

Subject: RE: Call with Powertech next Monday, 1/13/20

Hi all –

I talked to Darcy this afternoon about the Dewey timeframe and got her feedback. She does NOT want to tell Powertech next week that our timeframe to issue the final permits is the end of August, and she doesn't want to provide any timeframe at all for a couple of reasons:

1) She wants us to continue to look for opportunities to make this timeline shorter, and asked that we meet with her to discuss a plan before we share anything with Powertech.

2) **Ex. 5 Deliberative Process (DP)**

Ex. 5 AC/DP

Valois – Darcy also asked for a couple of things before the meeting:

1) Darcy will plan to handle questions about the timeframe. She asked for a few of sentences describing at a high-level what work we need to complete before we issue the final permits. She doesn't want to include timeframes, but just describe the work. Here's a draft if you could please review/revise:

Ex. 5 Deliberative Process (DP)

2) A list of the other issues or questions PT wants to discuss. I haven't seen that info – can you please send that to me and Darcy? Based on the email from John Mays, we will be listening to them go over their high level comments/concerns on the Class III draft permit. Blake sent a follow-up email stating he wanted to discuss the time frame for final permits.

3) (not for Monday): Tribal consultation – Darcy asked that these letters go out as soon as possible. She also reminded me that we had discussed in Dec the need to wrap up consultation much earlier in the process of finalizing permits in order for us to have any chance to meaningfully consider that information. Can we get the letters out by the end of next week? If so, I think the deadline for response should be early Feb (+15 days from the date the letter goes out) for notice if tribes are interested in consultation and the end of March (+75 days) for the meetings to occur (based on Darcy's feedback).

Bruce/Douglas – This morning folks raised concerns about the quality of the draft comment response Cadmus submitted. I asked them to keep working with Cadmus to provide feedback so that the final deliverable doesn't require as much review/revision from us. Please think about what we can do under the SOW to provide more feedback – I'd like to know our plans for that as we really need Cadmus's help and need them to do a good job.

I had a call with Cadmus this afternoon. It is mainly a resource issue. Because of the level of detail we need, the work is being done by P4 level staff at a higher hourly rate than we initially expected. There are enough hours in the contract to produce a first draft, but not many hours left after that for iterations of comments from EPA and updates by Cadmus.

Thanks,

Sarah

Sarah E. Bahrman | Chief, Safe Drinking Water Branch| U.S. Environmental Protection Agency - Region 8
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From: Minter, Douglas <Minter.Douglas@epa.gov>

Sent: Tuesday, January 7, 2020 1:23 PM

To: Robinson, Valois <Robinson.Valois@epa.gov>; Arnold, Rick <Arnold.Rick@epa.gov>

Cc: Bahrman, Sarah <Bahrman.Sarah@epa.gov>

Subject: Call with Powertech next Monday, 1/16/20

Hi Valois/Rick: I reminded Darcy of our call with John and Blake next week and that we would mostly be listening to them go over their comments/concerns on the Class III draft permit. I also mentioned that Blake would be asking us about a final permit issuance date. In response, Darcy asked that we establish a firm timeframe for final permit issuance by next Monday in preparation for this call.

Please work with Sarah while I am out this week to come up with our best estimate for Darcy.

Sarah: anything more to add?

Thanks,

Douglas Minter, MPH
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